



Atty. Dkt. No. 029318-0968

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicants: Simon McGurk *et al.*  
Title: GEL STABILIZED NANOPARTICULATE ACTIVE AGENT COMPOSITIONS  
Appl. No.: 10/659,706  
Appl. Filing Date: 9/11/2003  
Examiner: Eric E. Silverman  
Art Unit: 1618  
Confirmation Number: 4753

**REQUEST FOR CONTINUED EXAMINATION (RCE)**  
**TRANSMITTAL**

Mail Stop RCE  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, Virginia 22313-1450

Sir:

This is a Request for Continued Examination (RCE) under 37 C.F.R. § 1.114 of the above-identified application. This RCE and the enclosed items listed below are being filed prior to the earliest of: (1) payment of the issue fee (unless a petition under 37 C.F.R. § 1.313 is granted); (2) abandonment of the application; or (3) the filing of a notice of appeal to the U.S. Court of Appeals for the Federal Circuit under 35 U.S.C. §141, or the commencement of a civil action under 35 U.S.C. §145 or §146 (unless the appeal or civil action is terminated).

**1. Submission required under 37 C.F.R. §1.114: (check items that apply)**

a. Previously submitted:

[ ] Please enter and consider the amendment and/or reply previously filed on \_\_\_\_.

Please consider the Affidavit(s)/Declaration(s) previously filed on \_\_ but not considered.

Please consider the arguments in the Appeal Brief or Reply previously filed on \_\_.

Other \_\_.

b. Enclosed are:

Amendment/Reply.

Affidavit(s)/Declaration(s).

Information Disclosure Statement.

Form PTO/SB/08 with copies of \_\_ listed reference(s).

Other .

## Miscellaneous:

Suspension of action of the above-identified application is requested under 37 C.F.R. § 1.103(c) for a period of \_\_ months.

The filing fee is calculated below:

	Claims as Amended	Previously Paid For	Extra Claims Present	Rate	Fee Totals
RCE Fee 1.17(e):				\$810.00	= \$810.00
Total Claims:	48	-	49 = 0	x \$52.00	= \$0.00
Independents	4	-	4 = 0	x \$220.00	= \$0.00
First presentation of any Multiple Dependent Claims:			+ \$390.00	=	\$0.00
				CLAIMS FEE TOTAL:	= \$810.00

[ X ] Applicants hereby petition for an extension of time under 37 C.F.R. §1.136(a) for the total number of months checked below:

<input checked="" type="checkbox"/> Extension for response filed within the first month:	\$130.00	\$130.00
[ ] Extension for response filed within the second month:	\$490.00	\$0.00
[ ] Extension for response filed within the third month:	\$1,110.00	\$0.00
[ ] Extension for response filed within the fourth month:	\$1,730.00	\$0.00
[ ] Extension for response filed within the fifth month:	\$2,350.00	\$0.00
EXTENSION FEE SUBTOTAL:		\$130.00
EXTENSION FEE ALREADY PAID:	-	\$0.00
EXTENSION FEE TOTAL		\$130.00
CLAIMS AND EXTENSION FEE TOTAL:		\$940.00
[ ] Small Entity Fees Apply (subtract ½ of above):		\$0.00
[ ] Suspension of action requested under 37 C.F.R. § 1.103(c)		\$0.00
TOTAL FEE:		\$940.00

A credit card payment form in the amount of \$940.00 to cover the filing fee is enclosed.

The Commissioner is hereby authorized to charge any additional fees which may be required regarding this application under 37 C.F.R. §§ 1.16-1.17, or credit any overpayment, to Deposit Account No. 19-0741. Should no proper payment be enclosed herewith, as by the credit card payment form being unsigned, providing incorrect information resulting in a rejected credit card transaction, or even entirely missing, the Commissioner is authorized to charge the unpaid amount to Deposit Account No. 19-0741.

Please direct all correspondence to the undersigned attorney or agent at the address indicated below.

Respectfully submitted,

Date October 22, 2008

FOLEY & LARDNER LLP

Customer Number: 31049

Telephone: (202) 672-5538

Facsimile: (202) 672-5399

By \_\_\_\_\_

*Simon J. Elliott*

Simon J. Elliott

Attorney for Applicants

Registration No. 54,083